

No. 11-55016

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

TARLA MAKAEFF, Individually and on Behalf of All Others Similarly Situated,

Plaintiff-Counter-Defendant-Appellant,

vs.

TRUMP UNIVERSITY, LLC,

Defendant-Counter-Claimant-Appellee.

Appeal from the United States District Court
for the Southern District of California
No. 3:10-cv-00940-IEG(WVG)
The Honorable Irma E. Gonzalez

SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE

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As noted in Tarla Makaeff's previously filed request for judicial notice, this Court may choose to judicially notice press coverage concerning Donald Trump and Trump University in connection with its *de novo* review of the issues presented by this appeal. *See, e.g., Von Saher v. Norton Simon Museum of Art at Pasadena*, 592 F.3d 954, 960 (9th Cir. 2010); *Singh v. Ashcroft*, 393 F.3d 903, 905-07 (9th Cir. 2004); *Papai v. Harbor Tug & Barge Co.*, 67 F.3d 203, 207 n.5 (9th Cir. 1995), *rev'd on other grounds*, 520 U.S. 548 (1997); *Dockray v. Phelps Dodge Corp.*, 801 F.2d 1149, 1152 n.3 (9th Cir. 1986).

With this Supplemental Request for Judicial Notice, Makaeff respectfully requests that the Court judicially notice several additional articles, referenced in her Reply Brief, all but one of them published while this appeal has been pending.

As the following materials are judicially noticeable and may be helpful to the Court, Makaeff respectfully seeks leave to submit them through this Supplemental Request for Judicial Notice:

EXHIBIT	DESCRIPTION
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| AA: | Greg Levine, <i>Trump's Next Building: NYS Governor's Mansion?</i> , Forbes, Dec. 30, 2005 (available online at http://www.forbes.com/2005/12/30/trump-governor-nys-cx_gl_1230autofacescan06.html (accessed Sept. 27, 2011)). |
| BB: | Mike Jaccarino, <i>Judge Orders Trump to Repay Golfer's Club Fee</i> , New York Daily News, July 25, 2011 (available online at http://articles.nydailynews.com/2011-07-25/gossip/29831277_1_trump-plans-donald-trump-trump-international-golf-club (accessed Sept. 27, 2011)). |

- CC: *Trump Ordered to Return Golfer's Membership Fee*, WENN.com, July 25, 2011 (available online at http://www.hollywood.com/news/Trump_ordered_to_return_golfers_membership_fee/7820454 (accessed Sept. 27, 2011)).
- DD: Jane Musgrave, *Trump Ordered to Repay Club Deposit to Ousted Member*, Palm Beach Post, July 22, 2011 (available online at <http://www.palmbeachpost.com/news/trump-ordered-to-repay-club-deposit-to-ousted-1637478.html> (accessed Sept. 27, 2011)).
- EE: *Trump University Faces More Scrutiny*, International Business Times, May 23, 2011 (available online at <http://www.ibtimes.com/articles/150404/20110523/trump-university-new-york-attorney-general-real-estate-courses.htm> (accessed Sept. 27, 2011)).
- FF: Aaron Leitko, *Trump's School Faces Investigation; Clinton Supports Embassy Arts*, The Washington Post, May 20, 2011 (available online at http://www.washingtonpost.com/lifestyle/style/trumps-school-faces-investigation-clinton-supports-embassy-arts/2011/05/20/AFXE727G_story.html (accessed Sept. 27, 2011)).
- GG: Transcript of CNN Newsroom: *232 Unaccounted for in Joplin, Missouri; Trump School Under Scrutiny . . .* (May 26, 2011) (available on LEXIS/NEXIS).

DATED: September 27, 2011

Respectfully submitted,

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DECLARATION OF SERVICE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Diego, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 655 West Broadway, Suite 1900, San Diego, California 92101.

2. I hereby certify that on September 27, 2011, I electronically filed the foregoing document: **SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE** with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

3. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on September 27, 2011, at San Diego, California.

s/ Eric Alan Isaacson

ERIC ALAN ISAACSON

Service List

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